IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 10742 of 2005

Between:

1. Hyderabad Crane Service,

Rep. by Mohd. Khader Moinuddin,

S/o. Mohd. Azimuddin, Aged 37 years,

R/o. 5-6-3/15, Darusalam Estate, Hyderabad.

2. Super Crane Service, rep. by Aktar Ahmed,

S/o Vazir Ali, aged about 39 years,

R/o 19-5-8/8, Bahadurpura, Hyderabad.

3. Durga Crane Service, rep. by R. Srinivasa Rao,

S/o Venkatramaiah, aged about 37 years,

R/o 19-2-230/1/E/F, Bahadurpura, Hyderabad.

4. Bharat Crane Service, rep. by M.A. Rahman,

S/o. Mohd. Abdul Raheem, aged about 37 years,

R/o 6-56/2/37, Opp. IDPL Factory, Kukatpally, R.R. District.

5. Modern Crane Service, rep. by its Partner Amin Ladha,

S/o Abdul Rahman, Aged 35 years, R/o Balanagar,

Hyderabad.

..... PETITIONERS

AND

1. Government of Andhra Pradesh, Transport,
   Roads & Buildings (Tr.1) Department, Rep. by its
   Special Chief Secretary, Secretariat, Hyderabad.
2. The Secretary, Regional Transport Authority,
   Central Zone, Hyderabad.
3. The Assistant Secretary, Regional Transport Authority,
   South Zone, Hyderabad.
4. The Additional Registering Authority, Regional Transport
   Authority, Rangareddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction, especially, one in the nature of Writ of Mandamus declaring the G.O.Ms.No. 37, Transport, Roads & Buildings (TR-1) Department dt. 16-02-2005 to the extent of amendment in respect of Col.8(f) enhancing the rate of tax is illegal, arbitrary and violative of Article 19 (1) (g) of the Constitution of India and consequently direct the respondents to collect the tax as per the notification in G.O. Ms.No. 75, Transport, Roads & Buildings (TR-II) Dept. dt. 27-04-1993 in respect of the petitioner's vehicles are concerned in the interest of justice.

For the Petitioners: Mr.Ch.Ravinder, Advocate.

For the Respondents: GP for Transport.

The Court made the following:

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THE HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

AND

THE HON'BLE MR. JUSTICE C.V. RAMULU

WRIT PETITION NO. 10742 OF 2005

ORDER: (per Sri B. Sudershan Reddy, J)

The subject matter that arises for consideration in this writ petition is squarely covered by the order passed by us in W.P No. 8050 of 2005 dated 12-04-2005.

Following the said order, the writ petition shall stand dismissed at the stage of admission.

(B. Sudershan Reddy, J)

29-04-2005

(C.V. Ramulu, J)

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To

1. The Special Chief Secretary, Transport,

   Roads & Buildings (Tr.1) Department, Government of Andhra Pradesh, Secretariat, Hyderabad.

2. The Secretary, Regional Transport Authority,

   Central Zone, Hyderabad.

3. The Assistant Secretary, Regional Transport Authority,

   South Zone, Hyderabad.

4. The Additional Registering Authority, Regional Transport

   Authority, Rangareddy District.

5. Two CCs to the Government Pleader for Transport, High Court of Andhra Pradesh, Hyderabad.

6. Two CD copies.